

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:)	Confirmation No.: 2505
)	
Jens PETERSEN)	Group Art Unit: 1618
)	
Application No.: 09/938,667)	Examiner: Blessing M. Fubara
)	
Filing Date: August 27, 2001)	
)	
Title: POLYACRYLAMIDE HYDROGEL)	
FOR THE TREATMENT OF)	
INCONTINENCE AND)	
VESICOURETAL REFLUX)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW UNDER 37 C.F.R. § 1.133

Sir:

Examiner Blessing Fubara and Applicant's representatives, Stanislaus Aksman and Victoria A. Silcott, attended telephonic Examiner interviews held on April 21, 2006; April 24, 2006; and April 25, 2006. Applicant thanks Examiner Fubara for her time and attention.

During the interview held on April 21, 2006, currently pending claims 9-17, 29-32, 34-38, 47, 52-55, 57, 62, 63, 67-69 and 71-77 were discussed. The Examiner proposed to allow the claims directed to urinary incontinence (as amended in the Supplemental Response filed on February 27, 2006), pending review for new matter, if the claims directed to anal incontinence were canceled, which she could do by Examiner's Amendment.

On April 24, 2006, Applicant's representatives advised the Examiner that Applicant wished to avail itself of the protection under 35 U.S.C. § 121 for the non-elected claims. In response, the Examiner stated that she would issue a Notice of Allowance, which would include a Notice of Allowability that stated that the Examiner required the claims to be restricted and that Applicant elected the claims directed to urinary incontinence. The Notice of Allowability would

also cancel the non-elected claims directed to anal incontinence by Examiner's Amendment. The Examiner reassured Applicant's representatives that this procedure had been followed previously and that it would provide the desired protection under 35 U.S.C. § 121.

During the interview held on April 25, 2006, Applicant's representatives informed Examiner Fubara that Applicant wished to elect the Group drawn to urinary incontinence and authorized the Examiner to cancel the claims of the non-elected Group drawn to anal incontinence (*i.e.* claims 71-77). In addition, Applicant's representatives authorized the Examiner to amend dependent claims 10-14, 29-32, 34-36, 47, 52, 53, 55, 62, and 67-69 to delete the dependencies from the canceled claims.

CONCLUSION

In view of the telephonic interviews summarized above, it is believed that claims 9-17, 29-32, 34-38, 47, 52-55, 57, 62, 63, and 67-69 are in condition for allowance. Accordingly, Applicant respectfully requests that the Application be allowed and passed to issue.

It is believed that no fees are due in connection with this Statement. However, in the event it is determined by the U.S. Patent and Trademark Office that fees are due, the Commissioner is hereby authorized to charge such fees to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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Date: May 18, 2006

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